

E-Filed 2/29/16

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EDJUAN SCOTT,

No. C 11-3754 RS (PR)

Plaintiff,

ORDER OF TRANSFER

v.

CHARLES HOEN, and
CECILY GREY,

Defendants.

This is a federal civil rights action filed under 42 U.S.C. § 1983 by a pro se state prisoner. In his complaint, plaintiff asserts that in October 2011 the Contra Costa County Superior Court (at his attorneys' request) ordered him to undergo shock treatment. He further alleges that he has been receiving such treatment daily from then until the present, which he seeks to halt by way of this lawsuit.

Evidence presented by plaintiff contradicts these assertions and indicates that this suit should be transferred to another district. For example, a 2015 letter from the superior court denies that any such treatment was requested or ordered and thus eliminates the basis for his suit being heard in this district. (First Am. Compl., Ex. K at 1.) Also, a 2015 grievance appeal decision from Sacramento State Prison, where petitioner has been housed since


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1 October 2013, states that “[t]here is no evidence that shock therapy has been ordered nor [is]
2 being administered.” (*Id.*, Ex. I at 11.)

3 This action will be transferred. Whatever the truth of plaintiff’s allegations, this
4 district is not the appropriate one in which his suit should be heard. The appropriate venue is
5 where the treatments allegedly are being administered currently. That venue is the Eastern
6 District of California, wherein Sacramento State Prison lies. Accordingly, this federal civil
7 rights action is TRANSFERRED to the Eastern District of California, wherein a substantial
8 part of the events or omissions giving rise to the claims occurred and where relief, if any is
9 appropriate, can be directly implemented. *See* 28 U.S.C. §§ 84(b), 1391(b), and 1406(a).
10 The Clerk shall transfer this action forthwith.

11 **IT IS SO ORDERED.**

12 DATED: February 29, 2016

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14 RICHARD SEEBORG
15 United States District Judge
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United States District Court
For the Northern District of California